

1645 #6

Applicant or Patentee: Michael FAINZILBER et al.  
 Serial or Patent No.: 09/210,952 Attorney's Docket No. 2314-147  
 Filed or Issued: 15 December 1998  
 For: GAMMA-CONOPEPTIDES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
 (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

JAN 11 2000  
 TECH CENTER 1600/2900

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION UNIVERSITY OF UTAH RESEARCH FOUNDATION  
 ADDRESS OF ORGANIZATION 421 Wakara Way, #170, Salt Lake City, Utah 84112

# TYPE OF ORGANIZATION

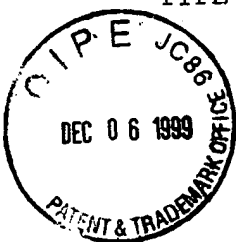
- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE 26 USC 501(a) and 501(c)(3)  
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
 (Name of State \_\_\_\_\_)  
 (Citation of Statute \_\_\_\_\_)  
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
 (Name of State \_\_\_\_\_)  
 (Citation of Statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled GAMMA-CONOPEPTIDES by inventor(s) Michael FAINZILBER et al., described in

- ☐ the specification filed herewith  
☒ application serial no. 09/210,952, filed 15 December 1998  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the



inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME Cognetix, Inc.  
ADDRESS 421 Wakara Way, Suite 201, Salt Lake City, Utah 84108  
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME The Regents of the University of California  
ADDRESS 300 Lakeside Drive, 22nd Floor, Oakland, California 94612  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

FULL NAME Vrije Universiteit  
ADDRESS De Baelelaan 1087, 1081 HV Amsterdam, The Netherlands  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Arundeeep S. Pradhan Brent Brown  
TITLE IN ORGANIZATION Associate Director, Technology Transfer Office  
ADDRESS OF PERSON SIGNING 421 Wakara Way, #170, Salt Lake City, Utah 84112

Signature Brent Brown Date July 29, 1999

Jul-26-99 11:39am From: COGNETIX

8015819555

T-482 P.02/03 F-166

Applicant or Patentee: Michael FAINZILBER et al.  
 Serial or Patent No.: 09/210,952 Attorney's Docket No. 2314-147  
 Filed or Issued: 15 December 1998  
 For: GGMA-CONOPEPTIDES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
 (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below;  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN COGNETIX, INC.  
 ADDRESS OF CONCERN 421 Wakara Way, Suite 201, Salt Lake City, Utah 84108

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled GGMA-CONOPEPTIDES, by inventors Michael FAINZILBER et al., described in

- ☐ the specification filed herewith  
☒ application serial no. 09/210952, filed 15 December 1998  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME UNIVERSITY OF UTAH RESEARCH FOUNDATION  
 ADDRESS 421 Wakara Way, Suite 201, Salt Lake City, Utah 84108  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

NAME THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  
 ADDRESS 300 Lakeside Drive, 22nd Floor, Oakland, California 94612  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

FULL NAME VRIJE UNIVERSITEIT  
 ADDRESS De Boelelaan 1087, 1081 HV Amsterdam, The Netherlands  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))



Jul-28-99 11:38am From:COGNETIX

8015819555

T-432 P.03/03 F-188

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any application issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING R. Taylor McSade D. Scott Hagen  
TITLE OF PERSON OTHER THAN OWNER Vice President  
ADDRESS OF PERSON SIGNING 421 Wakara Way, Suite 201, Salt Lake City, Utah 84108

SIGNATURE



Date

7/26/99